

PCT

To:

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/CH2004/000622

International filing date (day/month/year)
13.10.2004

Priority date (day/month/year)
15.10.2003

International Patent Classification (IPC) or both national classification and IPC
A23L1/00, A23L1/31, B65D65/42

Applicant
GIVAUDAN SA

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

10/574866
International application No.
PCT/CH2004/000622

IAP9 Rec'd PCH/PTO 06 APR 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or
Industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-6
Inventive step (IS)	Yes: Claims	
	No: Claims	1-6
Industrial applicability (IA)	Yes: Claims	1-6
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement under Rule 66.2(a)(II) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The following documents are referred to:

D1: EP-A-0 815 741	D2: US-A-5 192 567
D3: US-A-2 739 896	D4: US-A-4 904 487
D5: JP-A-02 166077 (PAJ)	D6: EP-A-0 988 798

The present application does not meet the requirements of Article 33 PCT because the subject-matter of claims 1-6 is not new in the sense of Article 33(2) PCT.

V.1/ The subject-matter of claims 1 and 2 is not new over D1, disclosing (cf. passages cited in the search report) a process wherein a powder mix of seasoning, starch and plasticizer (eg glucose) is applied to a hot, cooked foodstuff to form a hot melt coating.

V.2/ The subject-matter of claim 1 is not new over D2, disclosing (cf. passages cited in the search report) a process wherein a powder mix of seasoning and gums is applied to a hot, cooked foodstuff to form a glossy coating.

V.3/ The subject-matter of claims 1-3 is not new over D3, disclosing (cf. passages cited in the search report) a process wherein a powder mix of starch, fat, anhydrous dextrose and hydrated dextrose is applied to a hot, cooked foodstuff to form a coating.

V.4/ The subject-matter of claim 1 is not new over D4, disclosing (cf. passages cited in the search report) a process wherein a cheese flavor powder (comprising cheese, starch, oil, whey and seasoning) is applied to a hot, cooked foodstuff to form a coating.

V.5/ The subject-matter of claims 4-6 is not new over D5, disclosing (cf. abstract and figure) a sealable bag coated on its inner surface with a mixture of an adhesive agent, spicy granular material and/or heat-fusible substance like spicy gelatin.

V.6/ The subject-matter of claim 4 and 5 is not new over D6, disclosing (cf. passages cited in the search report) a sealable container coated on its inner surface with a seasoning and glazing composition.